

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION NO. 16-263  
: :  
v. : :  
: :  
NELSON IRIZARRY : CIVIL ACTION NO. 20-4166

**ORDER**

AND NOW, this 10th day of April, 2023, upon consideration of Nelson Irizarry's *pro se* Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 (Docket No. 54) and the Government's response thereto, and in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that the § 2255 Motion is **DENIED**. As Mr. Irizarry has failed to make a substantial showing of the denial of a constitutional right, there is no basis for the issuance of a certificate of appealability. The Clerk is directed to **CLOSE** Civil Action No. 20-4166.

BY THE COURT:

/s/ John R. Padova

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John R. Padova, J.